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Nov. 21, 2014

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, SW
Room TW-B204
Washington, DC 20554

Received & Inspected

DEC 02 2014

FCC Mail Room

Re: Public Comment for WC Docket Number 12-375

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Dear Secretary Dortch:

This is a public comment for **WC Docket Number 12-375**.

The Promise of Justice Initiative is a New Orleans-based nonprofit law office that advocates for criminal justice reform in Louisiana. Part of our mission is to support our clients and their families in their efforts to maintain bonds and relationships with each other. In this work, we constantly observe the ways that Louisiana's exorbitant prison phone rates impede efforts to sustain family ties, efforts which are important both to the prisoners themselves and their loved ones on the outside.

Several studies have found that maintenance of family ties during incarceration reduces the risk of recidivism upon a prisoner's release, and enhances the prisoner's chances for success during his reintegration into society. Dr. James Gilligan, in his 1996 book *Violence: Reflections on a National Epidemic*, described how "the storehouse of self-respect and pride that a person finds in family and community can ward off the shame and humiliation that lead one to violence while incarcerated." The American Correctional Association has taken the position that prisoners "should have access to a range of reasonably priced telecommunications services" with rates "commensurate with those charged to the general public" (ACA 2001).

Parental incarceration also has substantial negative effects on children's physical and psychological well-being, family stability, and financial circumstances. These negative consequences exacerbate the effects from other risk factors that are also often present in the children's lives, including poverty, physical and drug abuse, and other mental health considerations. Despite the existence of these other risk factors, research indicates that a child's contact with an incarcerated parent reduces the risk that the child will engage in criminal activity.

Maintenance of a strong parent-child relationship mitigates the effect of other risk factors in the child's life, particularly when the parent had a strong relationship with the child prior to incarceration. Although visitation is often the most effective contact a child can have with an incarcerated parent, the costs and logistical hurdles associated with visitation are often prohibitive. As a result, phone calls are typically the only feasible way in which a child can maintain a relationship with an incarcerated parent.

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Prohibitively expensive prison phone rates undermine all of these goals and undermine family values. Securus, one of the companies currently operating in Louisiana, has itself acknowledged this fact. In a June 7, 2013, letter to your office regarding this same topic (WC Docket No. 12-375), legal counsel for Securus wrote on behalf of that company and representatives from public interest groups:

[T]he parties do agree that certain practices, which serve to artificially inflate the cost of prison phone calls, are egregious and should be eliminated. For example, both Securus and the public interest groups recognize that refund fees for prepaid calling accounts are restrictive and unwarranted. In some instances, providers may charge inmates' families up to \$10 to recoup unused deposits, and we all agree that such refund fees are not in the public interest and should be eliminated.

The current phone rates in Louisiana, as well as the added costs the companies charge for their services, act as little more than a tax on families who, in many instances, already struggle with the challenges of poverty. Increasing the difficulty of maintaining their ties to loved ones in prison serves no policy goals – perhaps impedes them – and, on a human level, is simply cruel.

The FCC's action last year to cap interstate prison and jail phone rates was commendable and crucially important. However, with the large majority of calls from prisons and jails being made in-state, it did not go far enough. The Promise of Justice Initiative urges the FCC to extend its regulations to in-state phone calls, including much-needed rate caps and the elimination of commission payments to corrections agencies.

Sincerely,


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